

# In the Court of Appeals of the State of Alaska

**Costia Inga,**

Appellant,

v.

**State of Alaska,**

Appellee.

Court of Appeals No. **A-13804**

## **Order**

Extend Time to File Brief

Date of Order: **April 19, 2022**

Trial Court Case No. **3AN-00-10074CR**

The Office of Criminal Appeals, representing the Appellee, recently requested a 180-day extension of time to file the State's brief — if granted, the State's brief will be due October 11, 2022. The Appellant, Costia Inga, represented by Dan Bair, a contract attorney with the Office of Public Advocacy, opposes the State's motion.

Inga opposes the State's motion for an extension on the ground that his appeal will become moot in May 2023. He points out that if the State's brief is not filed until October 2022, there will be little time remaining for this Court to decide the appeal before it becomes moot.

This Court recognizes that lengthy legal proceedings may cause all parties to the litigation frustration and even anger. This Court, too, would like to have this appeal proceed more quickly. But unfortunately, this case is not unique.

The underlying problem is that there are too many criminal appeals compared to the number of lawyers available to brief those appeals. While it may be tempting to order the Office of Criminal Appeals to speed up its briefing in this case, this would create a cascading delay of the briefing in all the other criminal appeals currently being handled by that agency. There are only so many attorneys who are both (1) available and (2) competent to write a criminal appeal. And there are literally hundreds of cases that are in the same position as this one.

*Inga v. State* - p. 2  
File No. A-13804  
April 19, 2022

This Court has been aware of the briefing delay problem for some time and is working on eliminating this delay over time. The Court wishes it could correct this problem immediately — but, as a practical matter, that is not possible. The Court therefore concludes that the Office of Criminal Appeals’s requested extension of time to file the Appellee’s brief in accordance with Standing Order No. 12 is not unreasonable.

Accordingly, the Office of Criminal Appeals’s requested extension of time to file the Appellee’s brief is **GRANTED**. The brief is due on or before **October 11, 2022**. That said, once the briefing in this case is complete, this Court will expedite its consideration of Inga’s appeal.

Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts

*/s/ R. Montgomery-Sythe*

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Ryan Montgomery-Sythe,  
Chief Deputy Clerk

cc: Court of Appeals Judges

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